

1. From at least in or about March 2020 to the present, APOCALYPSE BELLA, a/k/a "Dias Yumba," MACKENZY TOUSSAINT, a/k/a "Mack," and AMOS MUNDENDI, a/k/a "Mos," a/k/a "El Ashile Mundi," the defendants, were involved in an extensive scheme to prepare and submit fraudulent applications to the Small Business Administration ("SBA") and to at least one company which processes PPP loan applications ("PPP Loan Company-1"), in order to obtain at least approximately \$14 million in government-guaranteed loans for various companies through the SBA's

Paycheck Protection Program ("PPP"), designed to provide financial relief to qualifying companies during the novel coronavirus/COVID-19 pandemic. This scheme resulted in the approval of fraudulently procured loans for two companies ("Company-1" and "Company-2"), both located in the Southern District of New York, totaling approximately \$4 million, and the distribution of the proceeds of these fraudulently obtained funds to a series of bank accounts located in the United States and elsewhere, including bank accounts controlled by TOUSSAINT and BELLA.

2. APOCALYPSE BELLA, a/k/a "Dias Yumba," MACKENZY TOUSSAINT, a/k/a "Mack," and AMOS MUNDENDI, a/k/a "Mos," a/k/a "El Ashile Mundi," the defendants, devised and executed this fraudulent scheme by conspiring with individuals (the "Straw Applicants"), who own, operate or otherwise are affiliated with businesses (the "Straw Companies"), such as Company-1 and Company-2. BELLA, TOUSSAINT, MUNDENDI, and other co-conspirators supervised and coordinated the submission of fraudulent PPP loan applications for the Straw Companies, and in some cases, completed and/or submitted the fraudulent applications themselves.

3. The PPP loan applications for Company-1 and Company-2 ("Company-1 PPP Loan Application" and "Company-2 PPP Loan Application") were false, designed to maximize proceeds to the

fraud scheme. Specifically, applications for both Company-1 and Company-2 contained material differences from loan applications submitted for both companies for the Economic Injury Disaster Loan ("EIDL") program just months earlier. For instance, the Company-1 PPP Loan Application represented that Company-1 had over 100 employees. However, an earlier EIDL loan application for Company-1 dated on or about March 30, 2020, represented that Company-1 had only four employees. And the Company-2 PPP Loan Application was strikingly similar to that of Company-1, in terms of the number of employees and the size of its payroll, although a previously submitted EIDL loan application for Company-2 also claimed that Company-2 had many fewer employees. Moreover, the Company-1 and Company-2 PPP Loan Applications both contained false information about the number of employees, size of payroll, and other financial information relating to Company-1 and Company-2. These false representations appear to be designed to result in the procurement of PPP loans just shy of \$2 million for each company, the largest PPP loan that was allowed by PPP Loan Company-1 at the time that the Company-1 and Company-2 PPP Loan Applications were submitted.

4. In early July 2020, the PPP loan applications for both Company-1 and Company-2 were approved, resulting in the disbursement of nearly \$4 million total in fraudulently procured loans to the defendants.

5. Between July and August 2020, there were significant disbursements from the Company-1 Bank Account that did not appear to meet the requirements for the use of PPP funds, including large transfers of funds abroad, the movement of funds to an investment management company, and the payment of approximately \$729,550 in funds to a bank account which is controlled by APOCALYPSE BELLA, a/k/a "Dias Yumba," the defendant, and approximately \$138,000 to a bank account which is controlled by MACKENZY TOUSSAINT, a/k/a "Mack," the defendant.

6. Starting in or about February 2021, AMOS MUNDENDI, a/k/a "Mos," a/k/a "El Ashile Mundi," the defendant, began to facilitate the process of fraudulently applying for a second round of PPP loans, including for Company-1 and Company-2. This resulted in a second fraudulent PPP Loan Application being prepared and submitted in the name of Company-1 requesting an additional \$2 million in PPP funds. Those funds have not yet been disbursed.

Statutory Allegations

7. From at least in or about March 2020 to the present, in the Southern District of New York and elsewhere, APOCALYPSE BELLA, a/k/a "Dias Yumba," MACKENZY TOUSSAINT, a/k/a "Mack," and AMOS MUNDENDI, a/k/a "Mos," a/k/a "El Ashile Mundi," the defendants, together with others known and unknown, willfully and knowingly combined, conspired, confederated, and agreed

together and with each other to commit an offense against the United States and to defraud the United States and an agency thereof, to wit, the SBA, in violation of Title 18, United States Code, Sections 1031 and 2.

8. It was a part and an object of the conspiracy that APOCALYPSE BELLA, a/k/a "Dias Yumba," MACKENZY TOUSSAINT, a/k/a "Mack," and AMOS MUNDENDI, a/k/a "Mos," a/k/a "El Ashile Mundi," the defendants, together with others known and unknown, willfully and knowingly would and did execute and attempt to execute, a scheme and artifice with the intent to defraud the United States, and to obtain money and property by means of false and fraudulent pretenses, representations, and promises, in a grant, contract, subcontract, subsidy, loan, guarantee, insurance, and other form of Federal assistance, including through an economic stimulus, recovery and rescue plan provided by the Government, the value of which was \$1,000,000 and more, to wit, BELLA, TOUSSAINT, and MUNDENDI engaged in a scheme to obtain at least approximately \$14 million in Government-guaranteed loans for various companies, including Company-1 and Company-2, by means of false and fraudulent pretenses, representations, and documents, through the PPP of the SBA, designed to provide relief to small businesses during the novel coronavirus/COVID-19 pandemic.

9. It was a further part and an object of the conspiracy that APOCALYPSE BELLA, a/k/a "Dias Yumba," MACKENZY TOUSSAINT, a/k/a "Mack," and AMOS MUNDENDI, a/k/a "Mos," a/k/a "El Ashile Mundi," the defendants, together with others known and unknown, willfully and knowingly would and did defraud the United States, and an agency thereof, to wit, BELLA, TOUSSAINT, and MUNDENDI engaged in a scheme to obtain at least approximately \$14 million in Government-guaranteed loans for various companies, including Company-1 and Company-2, by means of false and fraudulent pretenses, representations, and documents, through the SBA's Payment Protection Program.

Overt Acts

10. In furtherance of the conspiracy and to effect the illegal objects thereof, APOCALYPSE BELLA, a/k/a "Dias Yumba," MACKENZY TOUSSAINT, a/k/a "Mack," and AMOS MUNDENDI, a/k/a "Mos," a/k/a "El Ashile Mundi," the defendants, and others known and unknown, committed the following overt acts, among others, in the Southern District of New York and elsewhere:

a. In or about July 2020, a co-conspirator not named herein ("CC-1"), who was located in the Southern District of New York and acts as an agent of both Company-1 and Company-2, caused a total of approximately \$729,550 in proceeds from fraudulently procured PPP loans to be transferred to a bank

account controlled by BELLA from a bank account located in the Southern District of New York.

b. In or about August 2020, CC-1, who was located in the Southern District of New York, caused a total of approximately \$138,000 in proceeds from fraudulently procured PPP loans to be transferred to an account controlled by TOUSSAINT from a bank account located in the Southern District of New York.

c. In or about February 2021 and March 2021, MUNDENDI communicated with CC-1, who was located in the Southern District of New York, and caused to be prepared a fraudulent PPP application for Company-2, which was transmitted to CC-1.

(Title 18, United States Code, Section 371).

COUNT TWO
(Major Fraud Against the United States)

The Grand Jury further charges:

11. The allegations set forth in paragraphs 1 to 6 are repeated and realleged, and incorporated by reference as if fully set forth herein.

12. From at least in or about March 2020 to the present, in the Southern District of New York and elsewhere, APOCALYPSE BELLA, a/k/a "Dias Yumba," MACKENZY TOUSSAINT, a/k/a "Mack," and AMOS MUNDENDI, a/k/a "Mos," a/k/a "El Ashile Mundi," the defendants, willfully and knowingly executed, and attempted to execute, a scheme and artifice with the intent to defraud the

United States, and to obtain money and property by means of false and fraudulent pretenses, representations, and promises, in a grant, contract, subcontract, subsidy, loan, guarantee, insurance, and other form of Federal assistance, including through an economic stimulus, recovery and rescue plan provided by the Government, the value of which was \$1,000,000 and more, to wit, BELLA, TOUSSAINT, AND MUNDENDI engaged in a scheme to obtain at least approximately \$14 million in Government-guaranteed loans by means of false and fraudulent pretenses, representations, and documents, including for Company-1 and Company-2, through the PPP.

(Title 18, United States Code, Sections 1031 and 2.)

COUNT THREE
(Wire Fraud Conspiracy)

The Grand Jury further charges:

13. The allegations set forth in paragraphs 1 to 6 are repeated and realleged, and incorporated by reference as if fully set forth herein.

14. From at least in or about March 2020 through at least in or about May 2020, in the Southern District of New York and elsewhere, APOCALYPSE BELLA, a/k/a "Dias Yumba," MACKENZY TOUSSAINT, a/k/a "Mack," and AMOS MUNDENDI, a/k/a "Mos," a/k/a "El Ashile Mundi," the defendants, and others known and unknown, willfully and knowingly did combine, conspire, confederate, and

agree together and with each other to commit wire fraud, in violation of Title 18, United States Code, Section 1343.

15. It was a part and an object of the conspiracy that APOCALYPSE BELLA, a/k/a "Dias Yumba," MACKENZY TOUSSAINT, a/k/a "Mack," and AMOS MUNDENDI, a/k/a "Mos," a/k/a "El Ashile Mundi," the defendants, and others known and unknown, willfully and knowingly, having devised and intending to devise a scheme and artifice to defraud, and for obtaining money and property by means of false and fraudulent pretenses, representations, and promises, transmitted and caused to be transmitted by means of wire, radio, and television communication in interstate and foreign commerce, writings, signs, signals, pictures, and sounds, for the purpose of executing such scheme and artifice, to wit, BELLA, TOUSSAINT, AND MUNDENDI engaged in a scheme to obtain at least approximately \$14 million in Government-guaranteed loans by means of false and fraudulent pretenses, representations, and documents, including Company-1 and Company-2, through the PPP, including the online submission of PPP loan applications transmitted from the Southern District of New York.

(Title 18, United States Code, Sections 1349 and 2.)

COUNT FOUR
(Wire Fraud)

The Grand Jury further charges:

16. The allegations set forth in paragraphs 1 to 6 are repeated and realleged, and incorporated by reference as if fully set forth herein.

17. From at least in or about March 2020 to the present, in the Southern District of New York and elsewhere, APOCALYPSE BELLA, a/k/a "Dias Yumba," MACKENZY TOUSSAINT, a/k/a "Mack," and AMOS MUNDENDI, a/k/a "Mos," a/k/a "El Ashile Mundi," the defendants, willfully and knowingly, having devised and intending to devise a scheme and artifice to defraud, and for obtaining money and property by means of false and fraudulent pretenses, representations, and promises, transmitted and caused to be transmitted by means of wire, radio, and television communication in interstate and foreign commerce, writings, signs, signals, pictures, and sounds, for the purpose of executing such scheme and artifice, to wit, BELLA, TOUSSAINT, AND MUNDENDI engaged in a scheme to obtain at least approximately \$14 million in Government-guaranteed loans by means of false and fraudulent pretenses, representations, and documents, including for Company-1 and Company-2, through the PPP, for which fraudulent PPP loan applications were accessed online from the Southern District of New York.

(Title 18, United States Code, Sections 1343 and 2.)

FORFEITURE ALLEGATIONS

18. As the result of committing the offenses charged in Counts Three and Four of this Indictment, APOCALYPSE BELLA, a/k/a "Dias Yumba," MACKENZY TOUSSAINT, a/k/a "Mack," and AMOS MUNDENDI, a/k/a "Mos," a/k/a "El Ashile Mundi," the defendants, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28 United States Code, Section 2461(c), any and all property, real and personal, that constitutes, or is derived from, proceeds traceable to the commission of said offenses, including but not limited to a sum of money in United States currency representing the amount of proceeds traceable to the commission of said offenses.

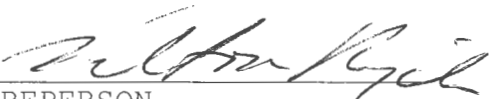
Substitute Assets Provision

19. If any of the above-described forfeitable property, as a result of any act or omission of the defendants:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), and Title 28, United States Code, Section 2461(c), to seek forfeiture of any other property of the defendants up to the value of the forfeitable property described above.

(Title 18, United States Code, Section 981;
Title 21, United States Code, Section 853; and
Title 28, United States Code, Section 2461.)


FOREPERSON


AUDREY STRAUSS *DMC*
United States Attorney

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

v.

APOCALYPSE BELLA, a/k/a "Dias Yumba,"
MACKENZY TOUSSAINT, a/k/a "Mack," and
AMOS MUNDENDI, a/k/a "Mos," a/k/a "El Ashile
Mundi,"

Defendants.

SEALED INDICTMENT

21 Cr.

(18 U.S.C. §§ 371, 1031, 1343, 1349 and 2.)

AUDREY STRAUSS

United States Attorney

A TRUE BILL


Foreperson

Sealed Indictment

Arrest Warrants

filed before CTW 4/14/21

DK